

REMARKS

Claims 33-38 are pending. By this Response claims 33-38 are amended. Reconsideration and allowance based on the above amendments and following comments are respectfully requested.

Remarks with Respect to Advisory Action

It is noted by the Examiner in the Advisory Action dated July 1, 2008, that 1) the configuration of the base station to transmit a signal containing the preamble and the mobile station being configured to receive the signal and 2) “the reception power intensity” being the power strength for the entire period of the preamble are both “obvious points” but not recited in the claims. It appears that the Examiner agrees that there is a difference between the present invention and Esmailzadeh with respect to these points, but the claims do not accurately reflect them. Thus, in consideration of this understanding, Applicants have amended the claims to be more reflective of the above points.

Prior Art Rejection

Claims 33-38 stand rejected under 35 U.S.C. § 102(e) in view of Esmailzadeh et al. (U.S. Patent No. 1,163,533). This rejection is respectfully traversed.

In the embodiments of the present invention as recited in the claims, the transmitter side adds a preamble to transmission data and sends the data in a transmission signal. A receiver side

detects the total reception power of the preamble transmitted in the transmission signal. Thus, a mobile station can detect the reception level based on the preamble contained in the received signal sent from the base station.

Further, the claims refer to detecting the total reception power of the preamble in the transmission signal. The total reception power reflecting the entirety of the power period and therefore being different from that of a point power value, and thus different than the peak value.

In contrast, in the teachings Esmailzadeh et al. the preamble is transmitted from the mobile station and received by the base station. *See column 2, lines 41-58.* This is further expressed by using a match filter in the base station to despread the preamble of the received signal from the mobile station.

Accordingly, Esmailzadeh et al. teaches that the mobile station transmits the signal containing the preamble and the base station receives the signal and processes the preamble. In contrast, in the claimed invention the base station is configured to transmit the signal containing the preamble and the mobile station is configured to receive the signal. Thus, the claimed invention provides a distinct difference from the teachings of Esmailzadeh et al.

Further, the claimed invention is different from Esmailzadeh et al. in that the total reception power of the preamble for the entire period of the preamble is used. Esmailzadeh et al. discloses that the preamble is processed through the match filter, the accumulator and the peak detection unit, and the peak detection unit calculates the peak value. *See column 2, line 46 to column 3, line 7.* As disclosed in column 3, lines 11-13 “each peak...is used to set the receivers

rate parameters,” in order to set the rate parameters, peak values are especially relating to paths between the mobile station and the base station are used. Thus, the “preamble” of Esmailzadeh et al. is used for detecting individual peak(s) point values which exceeds the threshold among the peak values corresponding to the paths.

In contrast, as shown in Figures 2a and 2b of the present application, the AGC is adjusted by using the entire period of the preamble, the total reception power, and the AGC output is adjusted through a reference value or its near value. Accordingly, “the total reception power” as recited in the claims is not a point peak value of the received signal, but is the power strength for the entire period of the preamble. Therefore, Esmailzadeh fails to teach Applicants’ claimed “total reception power.”

Accordingly, as noted above, Esmailzadeh et al. fails to teach each feature of Applicants’ independent claims, as required. Therefore, reconsideration and withdrawal of the rejections are respectfully requested.

CONCLUSION

For at least the reasons above, it is respectfully submitted that claims 33-38 are distinguished from the recited art. Favorable consideration and prompt allowance are earnestly solicited.

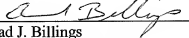
Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Chad J. Billings, Reg. No. 48,917

at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§ 1.16 or 1.147; particularly, extension of time fees.

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Respectfully submitted,

By 

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